

<p><b>DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION</b></p> <p>[X] Declaration Submitted With Initial Filing      [ ] Declaration Submitted After Initial Filing</p>	Attorney Docket Number	P-154-US1
	First Named Inventor	Martin S. LINSELL
	<i>COMPLETE IF KNOWN</i>	
	Application Number	Not yet assigned
	Filing Date	Even date herewith
	Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned	

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## **CRYSTALLINE $\beta_2$ ADRENERGIC RECEPTOR AGONIST**

the specification of which *(Title of the Invention)*

[ X ] is attached hereto

OR

[ ] was filed on \_\_\_\_\_'s United States Application Number or PCT International Application Number  
and was amended \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 USC §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			[ ]	[ ]	[ ]
			[ ]	[ ]	[ ]
			[ ]	[ ]	[ ]

Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental sheet attached hereto.
60/398,678	07/26/2002	
60/398,928	07/26/2002	

## DECLARATION

Page 2

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

US Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

[ ] Additional US or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

I hereby appoint the following attorney(s) and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and transact all business in connection with international applications directed to said invention:

the practitioners associated with customer number 27,038, including those listed below;



27038

and said Jeffrey A. Hagenah to have in addition the power to revoke the power granted to all others listed below and the power to grant associate powers of attorney.

Name	Registration Number	Name	Registration Number
David E. Boone Joyce G. Cohen	27,857 44,622	Jeffrey A. Hagenah Roberta P. Saxon	35,175 43,087

[ ] Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.

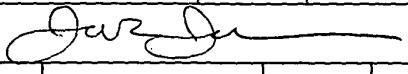
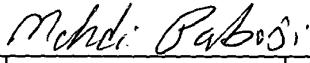
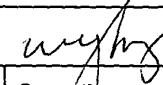
Please direct all correspondence to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		[ ] A petition has been filed for this unsigned inventor							
Given Name	Martin	Middle Initial	S.	Family Name	Linsell			Suffix, e.g., Jr.	
Inventor's Signature						Date	18 JUL 03		
Residence: City	San Francisco	State	CA	Country	U.S.A.		Citizenship	UK	
Mailing Address		37 Coso Avenue							
City	San Francisco			State	CA	Zip	94110	Country	U.S.A.
[ X] Additional inventors are being named on supplemental sheet(s) attached hereto									

DECLARATION					ADDITIONAL INVENTOR(S) Supplemental Sheet				
Name of Second Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	John	Middle Names	R.	Family Name	Jacobsen			Suffix, e.g., Jr.	
Inventor's Signature						Date	7/18/2003		
Residence: City	San Mateo	State	CA	Country	USA	Citizenship	USA		
Mailing Address		16 Oak Valley Road							
City	San Mateo	State	CA	Zip	94402	Country	USA		
Name of Third Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Davar	Middle Names		Family Name	Khosravi			Suffix, e.g., Jr.	
Inventor's Signature						Date	17 July 2003		
Residence: City	San Mateo	State	CA	Country	USA	Citizenship	USA		
Mailing Address		161 Laurie Meadows Dr. #568							
City	San Mateo	State	CA	Zip	94403-4867	Country	USA		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Mehdi	Middle Initial		Family Name	Paborji			Suffix, e.g., Jr.	
Inventor's Signature						Date	July 17, 2003		
Residence: City	Cupertino	State	CA	Country	USA	Citizenship	USA		
Mailing Address		10351 Byrne Avenue							
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Given Name	Weijiang	Middle Initial		Family Name	Zhang			Suffix, e.g., Jr.	
Inventor's Signature						Date	July 17, 2003		
Residence: City	Cupertino	State	CA	Country	USA	Citizenship	USA		
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City	Cupertino	State	CA	Zip	95014	Country	USA		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name		Middle Initial		Family Name				Suffix, e.g., Jr.	
Inventor's Signature						Date			
Residence: City		State		Country		Citizenship			
Mailing Address									
City		State		Zip		Country			